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essential to have jurisdiction, both of the garnishee, the person, and of the res. Jurisdiction of the person may be waived but jurisdiction of the res must be obtained in the manner prescribed by statute; 2 SHINN, ATTACHMENT 610; ROOD, GARNISHMENT, §§ 269 to 275, inclusive. If the law therefore requires personal service upon the garnishee by delivery of a copy of the writ to him, this delivery must be made in order to authorize the court to proceed against him. Cases quite as numerous as those holding a contrary doctrine may be found supporting these authorities and the decision in the principal case. A garnishee can not confer jurisdiction over the res by voluntary appearance. *Cole v. Utah Sugar Co.*, 99 Pac. 681; *Hathorn v. Robinson*, 98 Me. 334; *McDonald & Co. v. Moore*, 65 Iowa 171. *Epstein v. Salorgne*, 6 Mo. App. 352; *Mosher v. Banking Co.*, 6 Mo. App. 599. Where in garnishment proceedings the writ served on the garnishee is invalid defendant's appearance without objection, though a waiver of the summons upon him personally does not validate the attachment. *McGuire v. Church*, 49 Conn. 248; *State v. Duncan*, 37 Neb. 631, 56 N. W. 214; *Raymond v. Rockland Co.*, 40 Conn. 401; *Altona v. Dabney*, 37 Or 334; *Hebel v. Amazon Ins. Co.*, 33 Mich. 400; *Fletcher v. Wear*, 81 Mo. 524; *Masterson v. Mo. Pac. R. R. Co.*, 20 Mo. App. 653. *Hackett v. Gihl*, 63 Mo. App. 447; *McDonald v. Moore*, 65 Iowa 171, 21 N. W. 504; *Dunn v. Mo. Pac. R. R. Co.*, 45 Mo. App. 29. Though the cases appear to be about equal numerically on each side, the more carefully reasoned cases and authoritative text writers uphold the law announced in the principal case.

HEALTH—ISOLATION OF PERSON AFFLICTED WITH CONTAGIOUS DISEASE—INJUNCTION AGAINST BOARD OF HEALTH—CONSTITUTIONAL RIGHT TO LIBERTY.—Complainant, a lady of culture and refinement, advanced in years, while acting as a missionary in Brazil, was stricken with anaesthetic leprosy. On returning to the city of A, on the opinion of a distinguished specialist that her disease was not contagious, she had mingled freely in society. Upon complaint made, and after due investigation, the board of health of the city ordered the complainant's removal to the city hospital or pest house until a more suitable abode could be provided for her. Considering the condition of the pest house, it formerly having been used for the isolation of negroes with smallpox, and its unhealthy location, the city council had agreed to erect a suitable cottage as soon as practicable. An order for an injunction restraining complainant's removal having been granted in the lower court, this court on appeal, *Held*, that as the maintenance of strict quarantine of complainant's premises would afford complete protection to the public, and as removal to the pest house under the present conditions would imperil the health of complainant, the court would enjoin the action as arbitrary. (HYDRICK, J. dissenting), *Kirk v. Wyman et al., Board of Health* (1909), — S. C. —, 65 S. E. 387.

The court recognized the caution that should be exercised in interfering with the discretionary powers of a board of health, but based their action upon the ground that this was an exceptional case. Public safety is the basis for all the powers granted to such boards to interfere with the individual's

personal rights. 1 *TIEDEMAN, ST. AND FED. CONTROL OF PERS. AND PROP.*, § 44. In cases of great public danger, courts will go to the greatest extent and give the widest discretion in reviewing regulations adopted by boards of health. *Blue v. Beach*, 155 Ind. 121, 56 N. E. 89; *Jew Ho v. Williamson*, 103 Fed. 10. But that the courts have the power of reviewing the manner of the enforcement of their powers and seeing that the means has some relation to the object in view, is well settled. *Wong Wai v. Williamson*, 103 Fed. 1; *Aaron v. Broiles*, 64 Tex. 316, 53 Am. Rep. 764; *Viemeister v. White*, 179 N. Y. 235, 72 N. E. 97. In cases of extreme danger the health of the individual may be sacrificed for the protection to the public as a whole. *Markham v. Brown*, 37 Ga. 277, 92 Am. Dec. 73. But the question of the health of an individual is always to be considered in cases where he may be required to be removed for the public good. Several of the statutes give such boards power to remove diseased or infected persons, provided it does not endanger the life of the person. *Whidden v. Cheever*, 76 Am. St. Rep. 154, 69 N. H. 142, 44 Atl. 908. In other cases it has been recognized that a board might act in such an arbitrary manner, in reference to particular persons, as to go far beyond what was reasonably required for the safety of the public. *Wisconsin etc. R. Co. v. Jacobson* 179 U. S. 287, 301, 45 L. ed. 194, 201; *Viemeister v. White* (supra). In such cases where it is a question of considering the public safety to the injury to the individual, the discretion of the board is not questioned, unless bad faith is shown. *Whidden v. Cheever*, (supra). *Hengehold v. Covington* 22 Ky. Law. Rep. 462, 57 S. W. 495. The board of health having been selected by the people to protect the public safety, a court, it would seem, should be allowed to interfere only in a clear case, and if the facts in the principal case, justified the court's interference, it would seem, at least, an extreme case and a dangerous precedent.

INJUNCTION—TRADE SECRETS—CONFIDENTIAL EMPLOYMENT—RIGHT TO ENJOIN DISCLOSURE—The complainant claims to own a secret formula and process of manufacture. The defendant employee was under contract with the complainant not to disclose any trade secret. The defendant rival concern, had previously, when owned by other people, made efforts to learn trade secrets of the complainant. The present defendant company has employed the complainant's former employee, but no efforts have been shown by either defendant employer or employee to disclose said secret. The complainant, however, seeks an injunction to restrain the employee from disclosing and the defendant company from receiving or using said trade secret. *Held*, a motion for preliminary injunction should be denied. *H. B. Wiggins Sons' Co. v. Cott* (1909),—C. C. D., Conn.—, 169 Fed. 150.

This case is interesting in that it shows the extent to which courts of equity have gone in protecting a secret in trade. Equity has now clearly recognized this secret in trade as property, in so far that it will protect trade secrets by injunction as against those who seek to disclose or use them by a violation of a confidential relation or contract stipulation. *PAUL, TRADE MARKS*, § 217, *Peabody v. Norfolk*, 98 Mass. 452, 96 Am. Dec. 664; *C. F. Simmons Medicine Company v. Simmons*, 81 Fed. 163. A contract relation